

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Robert James Colt

Docket No. 5:13-CR-84-1FL

Petition for Action on Supervised Release

COMES NOW Lee Holmes, Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Robert James Colt, who, upon an earlier plea of guilty to 18 U.S.C. §§ 922(g)(1) & 924(a)(2), Felon in Possession of Firearm and Ammunition, and 21 U.S.C. §§ 856(a)(1)&(b), Maintaining a Place for Manufacturing and Distributing Cocaine Base and Marijuana, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on November 7, 2013, to the custody of the Bureau of Prisons for a term of 54 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 24 months. On September 22, 2015, pursuant to 18 U.S.C. § 3582(c)(2), the imprisonment sentence was reduced to 43 months.

Robert James Colt was released from custody on September 13, 2016, at which time the term of supervised release commenced. On October 17, 2016, the court modified the conditions of supervised release to include sex offender conditions due to a historical offense. On February 9, 2017, the court was advised that the defendant submitted a urine sample which tested positive for marijuana on January 19, 2017. The defendant completed a 2-day DROPS sanction on March 26, 2017. On April 12, 2017, the court was advised that the defendant submitted a urine sample which tested positive for marijuana on February 14, 2017. The defendant completed a 5-day DROPS sanction on June 28, 2017.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant submitted a urine sample which tested positive for cocaine on November 6, 2017. The defendant cited this drug use as a result of hanging out with the wrong people. The defendant is now the general manager of his family's painting company. At this time, we are recommending the defendant complete 60 days of curfew based electronic monitoring in lieu of 10-day DROPS sanction for employment purposes. The curfew will also restrict the defendant's ability to associate with criminal peers. The defendant's substance abuse issues will continue to be addressed in treatment and the surprise urinalysis program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Lee Holmes
Lee Holmes
Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2568
Executed On: November 21, 2017

ORDER OF THE COURT

Considered and ordered this 21st day of November, 2017, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge